



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

*271 Cadman Plaza East
Brooklyn, New York 11201*

March 3, 2025

By ECF

Honorable Vera M. Scanlon
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Antonio Eaddy v. United States*, Civ. No. 24-8109 (Kovner, J.) (Scanlon, M.J.)

Dear Judge Scanlon:

This Office represents Defendant United States in this Federal Tort Claims Act (“FTCA”) lawsuit and writes on behalf of both parties to respectfully request that the Court adjourn the initial conference scheduled for March 12, 2025 at 3:45 p.m., and stay discovery until after the resolution of the government’s anticipated dispositive motion.

By way of background, Plaintiff, a former inmate housed at the Metropolitan Detention Center (“MDC”) in Brooklyn, New York, asserts tort claims against the United States for negligence under the FTCA, 28 U.S.C. §§ 1346(b), 2674, stemming from an attack on Plaintiff by other inmates on May 10, 2022. Dkt. No. 1. Plaintiff alleges that the United States was negligent when the Bureau of Prisons moved Plaintiff into a new housing unit where the attack took place.

On March 3, 2025, the government filed with the Court a request for a pre-motion conference, or, in the alternative, a briefing schedule, in anticipation of the government’s motion to dismiss this action for lack of subject matter jurisdiction and as untimely. The parties submit that discovery in this action should be stayed pending resolution of the motion, which will avoid subjecting the parties to the cost of discovery that, in light of the government’s motion, may be unnecessary.

The parties thank the Court for its consideration of this request.

Respectfully submitted,

JOHN J. DURHAM
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Counsel for Defendant

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cc: All counsel of record (by ECF)